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In re Application of
ANGELE et al.
Application No.: 10/511,833
PCT No.: PCT/FR03/01240
Int. Filing Date: 17 April 2003
Priority Date: 19 April 2002
Attorney's Docket No.: REGIM 3.3-042
For: A BISTABLE LIQUID CRYSTAL DISPLAY
DEVICE INCLUDING IMPROVED ADDRESSING
MEANS

DECISION ON
SUBMISSION

This decision is in response to applicants' submission filed 06 January 2006 requesting reinstatement and resubmitted on 16 June 2006, which includes a declaration of inventors filed under PCT 4.17 and a statement attesting to the accuracy of the translation of the declaration.

BACKGROUND

On 17 April 2003, applicants filed international application PCT/FR03/01240, which claimed a priority date of 19 April 2002 and designated the U.S. A copy of the international application was communicated to the USPTO from the International Bureau on 30 October 2003. The thirty-month period for paying the basic national fee in the United States expired at midnight on 19 October 2004.

On 19 October 2004, applicants filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee and an English translation of the international application as filed.

On 14 April 2005, the USPTO mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that an oath or declaration in compliance with 37 CFR 1.497(a)-(b) was required. This NOTIFICATION set a two month extendable period for reply.

On 10 November 2005, applicants filed a communication in response to the "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371" which was accompanied by, *inter alia*, a copy of the Request, including the declaration of inventorship filed under PCT Rule 4.17(iv).

On 13 December 2005, a Notification of Abandonment was mailed to applicant indicating that applicant had not timely filed an executed declaration.

On 06 January 2006, applicants submitted a "Request for Reinstatement" which was accompanied by, *inter alia*, a copy of the declaration of inventors filed with the international application. On 16 June 2006, applicant refiled the 06 January 2006 communication.

DISCUSSION

The declaration of inventors filed with the international application on 17 April 2003 is in compliance with 37 CFR 1.69(b) since applicants used one of the pre-approved foreign language forms under PCT Rule 4.17.

The NOTIFICATION OF MISSING REQUIREMENTS mailed 14 April 2005 and the Notification of Abandonment mailed on 13 December 2005 are hereby VACATED.

CONCLUSION

The Notification of Missing Requirements mailed 14 April 2005 is hereby VACATED. The Notification of Abandonment mailed on 13 December 2005 is hereby VACATED.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application. The 35 U.S.C. §371(c)(1), (c)(2), and (c)(4) date is 19 October 2004.



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